

REMARKS

Claim 6 has been amended from dependent form to independent form. As indicated by the Office Action dated July 29, 2008, this claim is now in condition for allowance.

Entry of this Amendment is proper as it merely places a claim indicated as allowable into independent form.

STATEMENT OF COMMON OWNERSHIP

This application and U.S. Patent Publication No. 2004/0125772 (Wu) were, at the time the present invention was made, owned by or subject to obligation of assignment to the same person (Nortel Networks Ltd.).

Therefore, since the earliest publication date of Wu is December 11, 2003, after the filing date of the present application, Wu is disqualified as prior art pursuant to 35 U.S.C. § 103(c).

The final rejections of the claims is being appealed.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 14-1315 (16125IDUS01U).

Respectfully submitted,

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